

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKJames Forbes349-14-10818

(In the space above enter the full name(s) of the plaintiff(s).)

-against-

The City of New YorkPolice Officer John Doe  
Badge number #937424  
1st precinct.

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

**I. Parties in this complaint:**

- A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff's

Name

James Forbes

ID#

349-14-10818

Current Institution

Robert W. Davoren Detention Ctr.

Address

11-11 Hazen Street, mod-3EAST ELmhurst, N.Y. 11370

- B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1

Name

The City of New York

Shield #

Where Currently Employed

Address

Jury Trial: ☒ Yes ☐ No  
(check one)15 Civ. 3458 ( )  
(GHW)individual  
official  
capacities

Defendant No. 2 Name Police officer John Doe Shield # 937424  
 Where Currently Employed N.Y.C. Police Dept.  
 Address 1st precinct. New York, N.Y.

Defendant No. 3 Name \_\_\_\_\_ Shield # \_\_\_\_\_  
 Where Currently Employed \_\_\_\_\_  
 Address \_\_\_\_\_

Who did  
what?

Defendant No. 4 Name \_\_\_\_\_ Shield # \_\_\_\_\_  
 Where Currently Employed \_\_\_\_\_  
 Address \_\_\_\_\_

Defendant No. 5 Name \_\_\_\_\_ Shield # \_\_\_\_\_  
 Where Currently Employed \_\_\_\_\_  
 Address \_\_\_\_\_

## II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. In what institution did the events giving rise to your claim(s) occur?

N/A

B. Where in the institution did the events giving rise to your claim(s) occur?

N/A

C. What date and approximate time did the events giving rise to your claim(s) occur?

June 15, 2011

D. Facts: \_\_\_\_\_  
See attached

What  
happened  
to you?

① Nature of Claim: is Emotional and psychological injuries and monetary damages, sustained by plaintiff James Forbes, as well as, Civil Rights violations, including those under the first, fourth, fifth, eighth, and fourteenth Amendments of the United States Constitution, as well as the rights, privileges and immunities secured under 42 USC. Section 1983 the Equal protection Clause of the U.S. Constitution and the of the State of New York along with all other applicable laws, statutes and regulations.

The above damages stem from the negligent, careless, reckless and intentional misconduct of the City of New York its agents, servants, employees, and those acting under the color of State law, its direction, behest, permission and control in process of providing police services, see attached.

Was anyone else involved?

Who else saw what happened?

### III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

See attached to statement of facts.

### IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes ☐ No ☒



Specifically police officer John Doe # 937424 of the 1st precinct, New York County, individually and in his official capacity as a New York City police officer.

The claim occurred on or about June 15, 2011 in New York County at a restaurant located at Delaney and Ruled Streets, City and State of New York. When the plaintiff James Forbes, who had lawfully entered the premises and upon exiting was unlawfully arrested, excessively restrained by being placed in tightly applied handcuffs, unlawfully seized and then searched, unlawfully detained and incarcerated. Thereafter, he had been maliciously prosecuted despite evidence of his innocence by being falsely accused of a crime he did not commit.

That at no time did plaintiff James Forbes, resist arrest or disobey the arresting officer's command and he was never charged with any such crime. The plaintiff James Forbes, spent several days, incarcerated and was clearly denied his due process rights until the criminal court charges

Statement of facts  
under Docket number \_\_\_\_\_ were  
dismissed and such false arrest,  
unjustified and unlawful imprisonment,  
and violated malicious prosecution  
his civil rights of the plaintiff  
James Forbes!

That said occurrences and injuries  
sustained by plaintiff James Forbes,  
were due to the ~~unlawful~~ conduct of the  
City of New York, its agents, servants,  
and/or Employees in the course of his  
duties as police officer; in failing to  
adequately supervise and instruct said  
arresting officer(s) as to the proper practices  
and procedures in the discharge of his  
duties; in violating plaintiff James Forbes,  
Civil Rights; in having negligent hiring  
practices; in failing to properly investigate  
Employees and potential Employees; and  
the City of New York, its agents, servants,  
and/or Employees were otherwise careless,  
reckless, and negligent.

Upon information and belief, the City  
of New York is identified as police  
officer John Doe # 937424 of the First  
precinct New York County.



Statement of facts:

Plaintiff, James Forbes, sustained severe and permanent physical, emotional and psychological injuries, as well as, monetary damages, the full extent of which are as yet unknown, including but not limited to, upon information and belief, anxiety, emotional distress, upsets, flashbacks and mental anguish.

During the time in custody, plaintiff James Forbes, was repeatedly caused to feel helpless, disgraced, intimidated, harassed, shamed and ridiculed and lost his wife to death.

As a result of the plaintiff's anguish he seeks compensatory damages in the amount of one million dollars \$1,000,000.00 and punitive damages in the amount of fifty thousand dollars \$50,000.00

Respectfully  
James Forbes.

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

N/A

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes ☒ No ☐ Do Not Know ☐

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes ☐ No ☒ Do Not Know ☐

If YES, which claim(s)?

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes ☐ No ☒

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes ☐ No ☒

E. If you did file a grievance, about the events described in this complaint, where did you file the grievance?

N/A

1. Which claim(s) in this complaint did you grieve?

N/A

2. What was the result, if any?

N/A

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process.

N/A

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

not jail institution complained  
g.

2. If you did not file a grievance but informed any officials of your claim, state who you informed, when and how, and their response, if any:

N/A

- G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

N/A

Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

**V. Relief:**

State what you want the Court to do for you (including the amount of monetary compensation, if any, that you are seeking and the basis for such amount).

As of the negligence which resulted in personal injuries due to the careless, reckless, and intentional acts of its agents, servants, employees in violating plaintiff's civil rights, under the 1<sup>st</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 8<sup>th</sup> & 14<sup>th</sup> Amendments, the plaintiff seeks damages in the amount of one million dollar's \$1,000,000.00 and fifty thousand dollar's \$50,000.00 in punitive damages.



On  
these  
claims

**VI. Previous lawsuits:**

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes \_\_\_\_\_ No ☒

B. If your answer to A is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff \_\_\_\_\_  
Defendants NA

2. Court (if federal court, name the district; if state court, name the county) \_\_\_\_\_

3. Docket or Index number \_\_\_\_\_

4. Name of Judge assigned to your case \_\_\_\_\_

5. Approximate date of filing lawsuit \_\_\_\_\_

6. Is the case still pending? Yes \_\_\_\_\_ No ☒

If NO, give the approximate date of disposition \_\_\_\_\_

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) \_\_\_\_\_

On  
other  
claims

C. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?

Yes \_\_\_\_\_ No ☒

D. If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff \_\_\_\_\_  
Defendants \_\_\_\_\_

2. Court (if federal court, name the district; if state court, name the county) \_\_\_\_\_

3. Docket or Index number \_\_\_\_\_

4. Name of Judge assigned to your case \_\_\_\_\_

5. Approximate date of filing lawsuit \_\_\_\_\_

6. Is the case still pending? Yes \_\_\_\_ No ✓  
If NO, give the approximate date of disposition \_\_\_\_\_
7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I declare under penalty of perjury that the foregoing is true and correct.**

Signed this 11 day of September, 2015

Signature of Plaintiff

James Forbes

Inmate Number

349-14-10818

Institution Address

R.N.D.C.

11-11 Hazen Street  
East Elmhurst,  
New York 11370

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

I declare under penalty of perjury that on this 11 day of September, 2015 am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff:

James Forbes,